UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK	V	DOCUMENT ELECTRONICALLY FILED
KARLA VANEZA LAYBURN, on behalf of JVL, Plaintiff,	: :	DOC #: DATE FILED: 1/22/2021
v.	; ;	<u>ORDER</u>
COMMISSIONER OF SOCIAL SECURITY, Defendant.	: : :	20 CV 9550 (VB)
	X	

By Order dated November 16, 2020, (Doc. #7), the Court referred this case to Magistrate Judge Paul E. Davison for a report and recommendation.

To conserve resources, to promote judicial efficiency, and in an effort to achieve a faster disposition of this matter, it is hereby ORDERED that the parties must discuss whether they are willing to consent, under 28 U.S.C. § 636(c), to conducting all further proceedings before the assigned Magistrate Judge.

If both parties consent to proceed before the Magistrate Judge, counsel for the defendant must, by no later than February 5, 2021, file a letter with the Court, with an attached fully executed Notice, Consent, and Reference of a Civil Action to a Magistrate Judge form, the blank form for which is attached to this order (and also available at https://nysd.uscourts.gov/sites/default/files/2018-06/AO-3.pdf). If the Court approves that form, all further proceedings will then be conducted before the assigned Magistrate Judge rather than before me. An information sheet on proceedings before magistrate judges is also attached to this Order. Any appeal would be taken directly to the United States Court of Appeals for the Second Circuit.

If either party does not consent to conducting all further proceedings before the assigned Magistrate Judge, defendant's counsel shall file a letter by no later than February 5, 2021, advising the Court that the parties do not consent, but without disclosing the identity of the party or parties who do not consent. The parties are free to withhold consent without negative consequences.

Dated: January 22, 2021 White Plains, NY

SO ORDERED:

Vincent L. Briccetti

United States District Judge

AO 85 (Rev. 02/17) Notice, Consent, and Reference of a Civil Action to a Magistrate Judge

UNITED ST	TATES DISTRICT COURT for the	
Plaintiff V. Defendant	) ) ) Civil Action No)	
	ENCE OF A CIVIL ACTION TO A MAGISTRA	
all proceedings in this civil action (including a jury	ty. A United States magistrate judge of this court in yor nonjury trial) and to order the entry of a final judge court of appeals like any other judgment of this coust arrive consent.	gment. The judgment
	ed to a magistrate judge, or you may withhold your co withholding consent will not be revealed to any judg	
	y. The following parties consent to have a United Sal, the entry of final judgment, and all post-trial pro-	
Printed names of parties and attorneys	Signatures of parties or attorneys	Dates
IT IS ORDERED: This case is referred order the entry of a final judgment in accordance	Reference Order  to a United States magistrate judge to conduct all p with 28 U.S.C. § 636(c) and Fed. R. Civ. P. 73.	proceedings and
Date:	District Judge's signature	

Note: Return this form to the clerk of court only if you are consenting to the exercise of jurisdiction by a United States magistrate judge. Do not return this form to a judge.

Printed name and title



## UNITED STATES MAGISTRATE JUDGES: REFERRALS AND CONSENTS

All cases in the Southern District of New York are assigned to two judges: a district judge and a magistrate judge. District judges are appointed for life terms by the President. Magistrate judges are selected by a majority vote of the district judges in the particular district and serve terms of eight years.

Referrals to the Magistrate Judge: The district judge assigned to your case may refer the case to a magistrate judge for specific purposes. Commonly, the referral will be for the magistrate judge to conduct the proceedings that occur before trial, such as resolving discovery disputes or presiding over settlement conferences. A referral may also be made for the magistrate judge to issue to the district judge a report and recommendation on how to resolve a motion, such as a motion to dismiss or a motion for summary judgment. The consent of the parties is not needed for the district judge to refer the case to the magistrate judge for these purposes. If the district judge has made such a referral, you can ask the district judge to review any magistrate judge's decision by filing an objection with the district judge within fourteen days of that decision. The district judge will rule on any timely objections that you file. If you do not file an objection, you will give up your right to challenge the magistrate judge's decision at a later time, including on appeal. *See* Federal Rule of Civil Procedure 72.

Consent to Proceed Before the Magistrate Judge: If you would like your case to move more quickly, it is helpful to consent to proceed before the magistrate judge for all purposes, including any trial. If all parties consent, the magistrate judge will perform the identical function that the district judge would have performed. Any trial in your case would be either a jury or a nonjury trial, depending upon whether there is a right to a jury trial and a proper request for such a trial. The only difference is that the magistrate judge – and not the district judge – would preside over that trial. Cases that proceed for all purposes before a magistrate judge generally move more quickly than cases before a district judge. If all parties consent to proceed before the magistrate judge, the district judge plays no further role in the case. Any appeal is taken directly to the Court of Appeals. It is your choice whether or not to consent to proceed before the magistrate judge.

A copy of the appropriate consent form is attached. Additional forms are also available from the Pro Se Intake Unit and on the Court's website.

500 Pearl Street | New York, NY 10007 300 Quarropas Street | White Plains, NY 10601

PRO SE INTAKE UNIT: 212-805-0175